

MEMORANDUM

TO: Superintendents, Principals, School Board Members, and Transportation Directors
FROM: Cathy Hilgendorf, Agency of Education
SUBJECT: School bus idling law, administrative rule, and potential penalties
DATE: August 20, 2013

Added in 2007, Title 23 V.S.A. §1282(f) related to the prohibition of idling of school buses on school grounds and required the state board to promulgate rules to implement and allow exceptions to the law. State Board of Education Rules 6001- 6005 went into effect in 2008.

If a bus is parked on school grounds during a sporting event or for any other reason, it is to be turned off. Idling is unnecessary, adds costs, is unhealthy, and pollutes.

We urge school principals to convey information not only to drivers, but also to parents and students. Students need to dress appropriately for outdoor temperatures. Drivers and parents should be advised that there are limited provisions for exceptions, and that when not loading or unloading, buses may only idle for up to five minutes on school grounds.

There are common misperceptions that lead to violations of the law. Modern engines do not need to be idled for long periods of time to operate properly. Interior cabin temperatures do not need to be warm. Some bus drivers and transportation contractors believe that the interior cabin temperature of a school bus must be maintained at 55° F or above. That is not correct. In fact, the Health department does not support a minimum cabin temperature. The misunderstanding may stem from the equipment requirements for state inspection. However, there is not a requirement to keep the cabin warm, and keeping the cabin warm is not normally considered a “safety or health” justification for idling.

Violation of 23 V.S.A. § 1282 is a traffic violation, 23 V.S.A. § 2302((a)(3). The penalty/fines are pursuant to 4 V.S.A. § 1102(d).

6001 State Board of Education Rule #6001 School Bus Idling

6002 Statutory Authority: 23 V.S.A. § 1282(f)

6003 Statement of Purpose

It is the purpose of these rules to implement 23 V.S.A. §1282(f) by providing for the limited idling of school buses in specific circumstances.

6004 Definitions

The following definitions shall apply to these rules:

- a. "School Bus" includes all vehicles operated by or for the district for the purpose of transporting the district's students to or from school or school-related activities, whether the vehicles are owned by the district or contracted from vendors.
- b. "School grounds" includes any area adjacent to school buildings and used at any time for school-related activities, including parking lots, playing fields, and driveways.
- c. "Idling" means the primary propulsion engine is running while the vehicle is stationary.

6005 Provisions

The district shall communicate this rule to all parents, drivers, and staff. The provisions of this rule shall be incorporated into transportation contracts and agreements.

The employer of a school bus driver shall ensure that the driver is informed of the rule and any related district policy, and that all complaints of non-compliance are reviewed and that appropriate corrective actions are taken.

The operator of a school bus:

- a. shall turn off the primary propulsion engine immediately upon arrival at student loading or unloading areas on school grounds, and shall not restart the engine until the bus is loaded or unloaded and is ready to depart; and
- b. shall not otherwise idle the bus engine for more than five (5) minutes in a sixty (60) minute period on school grounds.

The provisions of this rule shall not apply under the following conditions:

- 1. when the engine is required to operate special equipment for disabled persons;
- 2. when the engine is required to operate safety equipment other than lighting systems, such as windshield defrosters, and the operation of the equipment is necessary at that time to address specific safety, traffic, health, or emergency concerns; and
- 3. when the vehicle is being serviced and the operation of the engine is essential to the service being performed.

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